

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

ALONZO GRANT and STEPHANIE GRANT, Plaintiffs, v. CITY OF SYRACUSE, POLICE OFFICERS DAMON LOCKETT AND PAUL MONTALTO, POLICE OFFICER BRIAN NOVITSKY, CHIEF OF POLICE FRANK FOWLER and Does 1-100, Defendants.	Civil Action No.: 5:15-CV-445 (DNH-TWD) PARTIES STIPULATION RE FACTS AND ADMITTED EVIDENCE
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THE PARTIES, THROUGH THEIR SIGNATURES BELOW, HEREBY STIPULATE TO THE FOLLOWING:

Facts

The parties have meet and conferred regarding material facts that are not in dispute. The parties hereby stipulate to the following facts:

1. The Defendant Officers were at all times acting under color of law
2. Chief of Police Frank Fowler, as a matter of the City of Syracuse Police Department policy is the final authority in all matters of 1) department policies; 2) department operations; and 3) pertaining to discipline of subordinates.

Exhibits

Plaintiffs' Exhibits:

The parties have meet and conferred regarding the admissibility of Plaintiffs' exhibits and hereby stipulate that the following exhibits are admissible and are deemed entered into evidence (except for medical records, see note below):

Plaintiffs Exhibits 2-6, 7 (first six pages), 8-10 14, 21-29, 30 (video only-no sound), 31 (video only-no sound), 55-68, 69-79 (videos only- no sound), 86-90.

With respect to medical records, the parties agree that upon the testimony of a treating physician or medical provider, the medical records created by that witness containing their observations, opinions, and diagnoses will be admitted into evidence upon the stipulation of the parties. .

Defendants Exhibits:

The parties have meet and conferred regarding the admissibility of Defendants' exhibits and hereby stipulate that the following exhibits are admissible and can be entered into evidence without foundation:

2-8, 9 (designated transcript portions only); 10 (designated transcript portions only), 11 (for impeachment only), 12 (for impeachment only), 13 (for impeachment only), 15, 19 (designated transcript portions only), 20 (designated transcript portions only), 20-21, 22 (for impeachment only), 24 (for impeachment only), 25-42, 45-49.

Dated: October 3, 2018

By: /s/ Charles A. Bonner
Charles A. Bonner

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Dated: October 3, 2018

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on October 3, 2018, he filed the foregoing by electronically filing with the Clerk of the Court via the ECF System, which is understood to have sent notification of such filing electronically to the following:

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Dated: October 3, 2018

/s/ Todd M. Long
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